

Message Text

CONFIDENTIAL

PAGE 01 MADRID 02023 01 OF 02 160957Z

12

ACTION EUR-12

INFO OCT-01 ISO-00 SAM-01 OMB-01 CIAE-00 PM-04 H-02 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

SAJ-01 /062 W

----- 027759

P R 151812Z MAR 76

FM AMEMBASSY MADRID

TO SECSTATE WASHDC PRIORITY 4971

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

USMISSION NATO

USEC BRUSSELS

SECDEF

DIA

USCINCEUR

CINCUSAFE

CINCUSNAVEUR

C O N F I D E N T I A L SECTION 1 OF 2 MADRID 2023

E.O. 11652: GDS

TAGS: MILI, PINT, SP

SUBJ: POLITICS IN THE SPANISH MILITARY--NINE OFFICERS SENTENCED
FOR CONSPIRACY TO (INCITE) MILITARY REBELLION

REF: (A) USDAO IR 6889 0071 76 (DTG 101700Z MAR 76);

(B) USDAO IR 6889 0072 76 (DTG 111400Z MAR 76) (NOTAL)

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MADRID 02023 01 OF 02 160957Z

SUMMARY: ON MARCH 10, A SPANISH MILITARY TRIBUNAL CON-

VICTED AND SENTENCED ALL NINE OF THE SPANISH MILITARY OFFICERS WHO HAD BEEN ARRESTED AT THE END OF JULY 1975 ON SUSPICION OF SUBVERSION. (DETAILS ARE REPORTED IN REFTELS.) THE SENTENCING ITSELF ADDED BUT LITTLE TO THE HEIGHTENED POLITICAL TENSION OF RECENT WEEKS IN SPAIN; IT HAS BEEN LESS IMPORTANT AS A SPECIFIC EVENT THAN AS A SYMPTOM OF HOW DIFFICULT IT IS FOR THE SENIOR MILITARY LEADERSHIP TO ADAPT TO POLITICAL CHANGES NOW OCCURRING HERE. WE BELIEVE THE HARSHNESS OF THE SENTENCES METED OUT BY THE COURT WILL IF UPHELD, PROVE COUNTERPRODUCTIVE--PERHAPS DISCOURAGING OPEN MILITARY DISSENT IN THE SHORT RUN BUT ACCENTUATING DIFFERENCES WITHIN THE MILITARY ESTABLISHMENT. END SUMMARY.

1. THE NINE OFFICERS INVOLVED HAVE BEEN SENTENCED UNDER THE MILITARY CODE OF JUSTICE FOR CONSPIRACY TO MILITARY REBELLION AND HAVE BEEN SENTENCED TO TERMS OF IMPRISONMENT OF BETWEEN 2 1/2 AND 8 YEARS. ONLY ONE OF THE NINE COOPERATED BY TESTIFYING ON HIS OWN BEHALF. ALL BUT TWO OF THE NINE WILL BE EXPELLED FROM THE ARMED FORCES, A PUNISHMENT GENERALLY REGARDED BY MILITARY OFFICERS TO BE MORE SEVERE THAN THE JAIL TERMS THEMSELVES. (ONE DEFENSE ATTORNEY TERMED IT "SPIRITUAL DEATH.") WHILE NO APPEAL PER SE IS POSSIBLE, THE SENTENCES ARE AUTOMATICALLY REVIEWED FOLLOWING AN OPPORTUNITY FOR THE DEFENDANTS TO INTRODUCE NEW ARGUMENTS (WHICH THEY MAY NOW HAVE DONE, ACCORDING TO PRESS REPORTS). THE TWO NOT FACING EXPULSION ALREADY ENJOY PROVISIONAL LIBERTY AND IT IS EXPECTED THAT THEY, AND PERHAPS TWO OTHERS, WILL BENEFIT SUFFICIENTLY FROM THE ROYAL COMMUTATION OF SENTENCES (INDULTO) OF LATE 1975 SO THAT THEY WILL NOT SERVE THEIR SENTENCES. THE OTHER FIVE MAY SERVE CONSIDERABLY LESS THAN THEIR FULL SENTENCES. A TENTH OFFICER (AIR FORCE CAPT DOMINGUEZ) WHO WAS PART OF THIS GROUP, REMAINS IN VOLUNTARY EXILE, WHILE AN 11TH
E
(ARMY CAPT HERREROS) WAS ARRESTED ONLY ON FEB 26.

2. THE COVICTION ON GROUNDS OF CONSPIRACY TO MILITARY REBELLION IS BASED ON THE COURT'S DECISION THAT THEIR ALLEGED MEMBERSHIP IN THE SO-CALLED DEMOCRATIC MILITARY UNION (UMD) CONSTITUTED MEMBERSHIP IN A SUBVERSIVE ORGANIZATION WHOSE PURPOSES ARE THE VIOLENT OVERTHROW OF THE INSTITUTIONS OF THE STATE. AS WE HAVE INDICTED IN EARLIER REPORTING, IT HAS NEVER BEEN CLEARLY
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MADRID 02023 01 OF 02 160957Z

ESTABLISHED TO US THAT THE UMD MERITS SUCH A DESCRIPTION. WE ARE INCLINED TO BELIEVE THAT IT BEGAN A YEAR OR MORE AGO AS A SMALL, RATHER LOOSE REFORMIST ASSOCIATION OF RELATIVELY YOUNGER OFFICERS WHOSE FOCUS WAS ORIGINALLY MORE ON THE NEED FOR INTERNAL MILITARY REFORM THAN ON SPANISH POLITICS PER SE, AND THAT NO MORE THAN A FEW HUNDRED OFFICERS HAVE PARTICIPATED AT ALL ACTIVELY. THERE IS SOME REASON TO BELIEVE THAT SEVERAL OF THOSE CONVICTED HAVE HAD CONTACTS WITH THE EXTREME LEFT. IT

HAS NOT BEEN ESTABLISHED THAT ANY OF THEM ARE COMMUNIST PARTY
ACTIVISTS, ALTHOUGH THIS CANNOT BE RULED OUT.

3. THE UMD HAS BECOME A REFLECTION OF THE PUBLIC POLITICAL
DEBATE GOING ON IN SPAIN, WHICH HAS SHARPENED IN THE PAST
YEAR AND FROM WHICH IT IS IMPOSSIBLE, OF COURSE, TO ISOLATE
THE SPANISH MILITARY. DESPITE THE CLEAR WARNINGS ISSUED BY
THE MILITARY LEADERSHIP, THIS WILL NOT BE THE LAST TIME THAT
YOUNGER SPANISH OFFICERS JOIN TOGETHER TO PRESS FOR MILITARY
REFORMS AND POLITICAL CHANGE IN SPAIN, IN FACT, REPORTS HAVE
ALREADY FILTERED IN SUGGESTING A POSSIBLE EFFORT TO ESTABLISH
A NEW MILITARY UNION WITHOUT THE UMD'S POLITICAL LINKAGES, AND
THE CLANDESTINE COMMUNIST RADIO ANNOUNCED LATE IN FEBRUARY THE
FORMATION OF A "DEMOCRATIC UNION OF SOLDIERS."

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 MADRID 02023 02 OF 02 161007Z

12

ACTION EUR-12

INFO OCT-01 ISO-00 SAM-01 OMB-01 CIAE-00 PM-04 H-02 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

SAJ-01 /062 W

----- 027865

P R 151812Z MAR 76

FM AMEMBASSY MADRID

TO SECSTATE WASHDC PRIORITY 4972

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

USMISSION NATO

USEC BRUSSELS

SECDEF

DIA

USCINCEUR
CINCUSAFE
CINCUSNAVEUR

C O N F I D E N T I A L SECTION 2 OF 2 MADRID 2023

4. THE EFFORTS BY THE COMMUNIST PARTY TO CREATE EVIDENCES ACROSS THE NATION OF PUBLIC SOLIDARITY WITH THESE OFFICERS HAVE ENJOYED ONLY LIMITED SUCCESS THUS FAR. CALLS FOR A DAY OF STRUGGLE, TO INCLUDE DEMONSTRATIONS IN THE VICINITY OF MILITARY INSTALLATIONS, HAVE YET TO BEAR FRUIT. STILL, THE BROADER LEFTIST CHAMPIONING OF THESE OFFICERS (THE UNSUCCESSFUL EFFORTS OF PROMINENT PROGRESSIVE CIVILIAN ATTORNEYS TO REPRESENT THEM, PETITIONS, ACTS OF SOLIDARITY AT UNIVERSITIES, ETC.) HAVE GIVEN
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MADRID 02023 02 OF 02 161007Z

THE WHOLE PROCESS GREATER POLITICAL PROFILE. (THE NATION'S LEADING PRESS HAS, HOWEVER, AVOIDED EDITORIALIZING. THE RIGHT -WING "ALCAZAR" HAS BARELY SEEN FIT TO MENTION THE TRIAL.) CERTAINLY THE ENTIRE PROCEDURE HAS SHARPENED SOMEWHAT THOSE DIFFERENCES WHICH EXIST WITHIN THE MILITARY ESTABLISHMENT AND IF UPHELD, THE SENTENCES WILL, WE BELIEVE, ACCENTUATE OVER THE LONG RUN THE PROBLEMS THE SENIOR MILITARY AUTHORITIES HOPED THEY WOULD HETM RESOLVE.

5. THEY HAD HOPED, BY THE INITIAL ARRESTS AND BY THE SENTENCES TO UNDERLINE TO THOSE IN THE MILITARY CAREER, AND TO OTHERS AS WELL, THAT POLITICAL ACTIVITY--INDEED, ANY ORGANIZED DISSENT--WITHIN THE MILITARY WILL NOT BE ALLOWED, EXCEPT FOR THAT ACTIVITY WHICH THESE CIVIL WAR VETERANS CONSIDER THEIR CONSTITUTIONAL DUTY IN THE NAME OF DEFENDING NATIONAL UNITY, TERRITORIAL INTEGRITY, AND THE EXISTING CONSTITUTIONAL SYSTEM.

6. THEIR EFFORTS TO GET THIS MESSAGE ACROSS ALLOWED DONNING OF ONLY A THIN VELVET GLOVE IN THIS CASE--IN THE FORM OF SENTENCES SOMEWHAT REDUCED FROM THOSE REQUESTED BY THE PROSECUTION, AND THE PRESNECE OF A PRESS POOL AND BAR ASSOCIATION REPRESENTATIVES AT THE TRIAL. RUMOR HAS IT THAT THE LINE WAS DRAWN AT ADMITTING A REPRESENTATIVE OF AMNESTY INTERNATIONAL, DESPITE THE SUPPOSED INTERVENTION ON HER BEHALF BY FOREIGN MINISTER AREILZA HIMSELF.

7. IT SEEMS TO US STRETCHING THE POINT TO ATTEMPT TO EXTRAPOLATE FROM THIS SINGLE EVENT ANY FAR-REACHING CONCLUSIONS ABOUT THE COMPLEX PROBLEM OF THE IMPACT OF POLITICAL CHANGE IN SPAIN ON THE MILITARY ESTABLISHMENT. BY AND LARGE, THIS ESTABLISHMENT REMAINS CONSERVATIVE, HIGHLY MOTIVATED, ENTIRELY RELIABLE, AND BASICALLY OPPOSED TO POLITICAL ACTIVITY BY MILITARY OFFICERS. THE RECOGNIZED GENERATIONAL GAP REMAINS MORE A PRODUCT OF PROFESSIONAL COMPLAINTS THAN OF POLITICAL DIFFERENCES, ALTHOUGH

THE HIGHER LEVEL OF PLITICAL FERMENT IN SPAIN INEVITABLY IS
FINDING SOME ECHO AMONG MILITARY PERSONNEL. WHILE THIS PROVIDES
OPPORTUNITIES FOR EXPLOITATION BY THE LEFT, WE DO NOT NOW SEE
AS MUCH OF AN OBSTACLE TO MODERATE POLITICAL AND SOCIAL
EVOLUTION IN THIS QUARTER AS IN THAT OF THE HIGHLY CONSERVATIVE
CIVIL WAR VETERANS WHO CONTINUE TO MANAGE THE MILITARY
ESTABLISHMENT. MOREOVER, THE POLITICAL REFORM PROGRAM OF THE
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MADRID 02023 02 OF 02 161007Z

PRESENT GOVERNMENT REDUCES THE MOTIVATION FOR POLITICAL
ACTIVISM BY YOUNGER OFFICERS, SO LONG AS IT HAS A REASON-
ABLE CHANCE FOR SUCCESS.
STABLER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY PERSONNEL, COURT MARTIAL, POLITICAL MILITARY RELATIONS, MUTINY, MILITARY JUSTICE
Control Number: n/a
Copy: SINGLE
Draft Date: 15 MAR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MADRID02023
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760098-0653
From: MADRID
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760361/aaaacbgr.tel
Line Count: 240
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 03 FEB 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <03 FEB 2004 by morefirh>; APPROVED <04 AUG 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: POLITICS IN THE SPANISH MILITARY--NINE OFFICERS SENTENCED FOR CONSPIRACY TO (INCITE) MILITARY REBELLION
TAGS: MILI, PINT, PINS, SP
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006